UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/467,310	12/17/1999	ROBERT J. CHANSLER	07844-280001	2224

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EXAMINER
NAHAR, QAMRUN

ART UNIT	PAPER NUMBER
2191	

DATE MAILED: 10/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/467,310	CHANSLER, ROBERT J.
	Examiner	Art Unit	
	Qamrun Nahar	2191	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *26 July 2005*.

2a)☒ This action is **FINAL.**   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-9,11-29,31-33 and 35-38* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-9,11-29,31-33 and 35-38* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

1.   This action is in response to the amendment filed on 07/26/2005.

2.   Claims 1-3, 11, 22-23 and 31-33 have been amended.

3.   Claims 36-38 have been added.

4.   Claims 10, 30 and 34 have been canceled.

5.   Claims 1-9, 11-29, 31-33 and 35-38 are pending.

6.   Claims 32-33 and 35-36 stand finally rejected under 35 U.S.C. 112, second paragraph, as

being indefinite for failing to particularly point out and distinctly claim the subject matter which

applicant regards as the invention.

7.   Claims 1-9, 11-29, 31-33 and 36-38 stand finally rejected under 35 U.S.C. 102(e) as being

anticipated by Rangarajan et al ("Rangarajan", US 6,275,225).

8.   Claim 35 stand finally rejected under 35 U.S.C. 103(a) as being unpatentable over

Rangarajan et al ("Rangarajan", US 6,275,225) in view of Sanna, et al. "Using Windows NT

Workstation 4.0", 1997 (hereinafter Sanna).

Response to Amendment

Claim Rejections - 35 USC § 112

9.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the
> subject matter which the applicant regards as his invention.

10.   Claims 32-33 and 35-36 are rejected under 35 U.S.C. 112, second paragraph, as being

indefinite for failing to particularly point out and distinctly claim the subject matter which

applicant regards as the invention.

11.   Claim 32 recites the limitation "the map component" in line 5 of the claim. There is

insufficient antecedent basis for this limitation in the claim. Therefore, this limitation is

interpreted as "a map component".

Claims 33 and 35-36 are rejected for dependency upon rejected base claim 32 above.

12.   Claim 32 recites the limitation "the fashion component" in line 5 of the claim. There is

insufficient antecedent basis for this limitation in the claim. Therefore, this limitation is

interpreted as "a fashion component".

Claims 33 and 35-36 are rejected for dependency upon rejected base claim 32 above.

Claim Rejections - 35 USC § 102

13.   The text of those sections of Title 35, U.S. Code not included in this action can be found

in a prior Office action.

14.   Claims 1-9, 11-29, 31-33 and 36-38 are rejected under 35 U.S.C. 102(e) as being

anticipated by Rangarajan et al ("Rangarajan", US 6,275,225).

Per Claim 1 (Amended):

Rangarajan teaches a method of defining a user interface for a computer program,

comprising: after execution of the computer program has begun (*Start 201* of fig. 2; col. 5, line

8), defining a user interface of the program (col. 5, lines 56-58) by:

reading a function description of a first function to be provided by the user interface (col. 7, lines 8-14, and *605* and *607* of fig. 6), the function description including logic for selecting an appearance of the user interface (col. 7, lines 45-61; e.g. *Topology View, Pie/Bar*), the function description comprising instructions for handling user interface events (col. 8, lines 22-33);

executing the logic included in the function description to select an appearance description of a first appearance to be presented by the user interface (col. 7, lines 30-61; selecting on different boxes and radio buttons 511 in fig. 5 prompts the system to execute the logic to select different appearance descriptions to present to the user interface);

associating the function description and the appearance description on the fly at run time into an executable form; and executing the executable form of the user interface to generate the user interface with the associated function description and appearance description (col. 5, lines 32-46; *215* of fig. 2; col. 7, line 62 to col. 8, line 12; and col. 9, lines 49-52; By the mere fact that the functionality and the appearance of the GUIs are both established at the same time does not imply that there are no separate function and appearance descriptions. The functionality and the appearance of the GUIs are both established at the same time when the configuration is saved. However, the modify procedure does allow separate modification of the functionality and the appearance of the GUIs, see col. 9, lines 41-47).

Per Claim 2 (Amended):

Rangarajan teaches replacing the function description during program execution while providing a continuity of presentation (col. 8, lines 57-65).

Per Claim 3 (Amended):

Rangarajan teaches replacing the appearance description during program execution to present logic of the user interface with a different appearance (col. 8, lines 57-65).

Per Claim 11 (Amended):

Rangarajan teaches a method of defining a user interface for a computer program, comprising: selecting at least one of a map component and a fashion component according to an environment variable on the fly at run time (col. 9, lines 22-34); associating the map component and the fashion component to generate the user interface (fig. 8; col. 9, lines 22-34 and col. 9, lines 49-52), the map component including logic for changing one of the map component and the fashion component (col. 9, line 59 to col. 10, line 13), the map component including instructions for handling and processing interface objects and events (col. 8, lines 22-33; and col. 9, lines 27-58);

combining the map component and the fashion component into an executable form; and executing the user interface with the associated map component and fashion component (fig. 8; col. 7, line 62 to col. 8, line 12; col. 9, lines 22-34; and col. 9, lines 49-52).

Per Claims 22-23 (Amended):

These are computer-readable medium versions of the claimed method discussed above (claims 2-3, respectively), wherein all claim limitations also have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, these claims are also anticipated by Rangarajan.

Per Claim 31 (Amended):

This is a computer-readable medium version of the claimed method discussed above,

claim 11, wherein all claim limitations also have been addressed and/or covered in cited areas as

set forth above. Thus, accordingly, this claim is also anticipated by Rangarajan.

Per Claim 32 (Amended):

This is a system version of the claimed method discussed above (claims 1 and 3), wherein

all claim limitations also have been addressed and/or covered in cited areas as set forth above.

Thus, accordingly, this claim is also anticipated by Rangarajan.

Per Claim 33 (Amended):

Rangarajan teaches wherein the device is a display *or* a sound input-output device (Fig. 1,

item 111, a display unit).

Per Claim 36 (New):

Rangarajan teaches means for changing the map component while providing a continuity

of presentation during program execution using the fashion component (col. 9, lines 22-34).

Per Claim 37 (New):

Rangarajan teaches customizing a selection base of function descriptions and appearance

descriptions based on a geographic location of a user (col. 9, lines 54-58).

Per Claim 38 (New):

Rangarajan teaches wherein a selection of at least one of the function description and the appearance description is made according to an environment variable (col. 9, lines 22-34).

Furthermore, see the rejection in the Office Action, Mailed on 12/29/03, paragraph 4 for rejection to claims 4-9, 12-21 and 24-29.

Claim Rejections - 35 USC § 103

15. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

16. Claim 35 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rangarajan et al ("Rangarajan", US 6,275,225) in view of Sanna, et al. "Using Windows NT Workstation 4.0", 1997 (hereinafter Sanna).

Per Claim 35:

The rejection of claim 32 is incorporated, and further, Rangarajan does not explicitly teach that the device is a telephone. Sanna teaches that a telephone connects to a PC system and utilizes the PC monitor to present a user interface associated with the telephone ("Using Phone Dialer", pg. 442, par. 6 to par. 7).

It would have been obvious to one having ordinary skill in the computer art at the time of

the invention was made to modify the system disclosed by Rangarajan to include that the device

is a telephone using the teaching of Sanna. The modification would be obvious because one of

ordinary skill in the art would be motivated to give a user an extra option to present the user

interface.

Response to Arguments

17.   Applicant's arguments filed on 01/24/2005 have been fully considered but they are not

persuasive.

In the remarks, the applicant argues that:

a)   Claim 1 recites ...

         Claim 21 recites ...

         Rangarajan does not disclose separate and distinct function descriptions and appearance

descriptions. Rather, the GUIs presented by Rangarajan are based on the selected feature sets

previously saved by the user. In order to change this feature set, the modify process and

associated wizard process must be invoked and a new default configuration is generated.

Therefore, the functionality and the appearance of the GUIs are both established at the same time

during the wizard process depending on the manner in which a user responds to the

interrogatories (see, Rangarajan, col. 2, lines 26-28).

         As there are no separate function and appearance descriptions ...

         Accordingly, claims 1 and 21 and their respective dependent claims are allowable.

Examiner's response:

a)   Examiner strongly disagrees with applicant's assertion that Rangarajan fails to disclose

the claimed limitations recited in claims 1 and 21. Rangarajan clearly shows each and every

limitation in claims 1 and 21.

Rangarajan teaches executing the logic included in the function description to select an

appearance description of a first appearance to be presented by the user interface (col. 7, lines

30-61; selecting on different boxes and radio buttons 511 in fig. 5 prompts the system to execute

the logic to select different appearance descriptions to present to the user interface); associating

the function description and the appearance description on the fly at run time into an executable

form (col. 5, lines 32-46; *215* of fig. 2; col. 7, line 62 to col. 8, line 12; and col. 9, lines 49-52).

By the mere fact that the functionality and the appearance of the GUIs are both established at the

same time does not imply that there are no separate function and appearance descriptions. The

functionality and the appearance of the GUIs are both established at the same time when the

configuration is saved. However, the modify procedure does allow separate modification of the

functionality and the appearance of the GUIs (see, Rangarajan, col. 9, lines 41-47).

In addition, see the rejection above in paragraph 14 for rejection to claim 1; and the

rejection in the Office Action, Mailed on 12/29/03, paragraph 4 for rejection to claim 21.

In the remarks, the applicant argues that:

b)   Claim 11 recites ...

        Claim 31 recites ...

As stated above, Rangarajan does not disclose separate function and appearance

descriptions ...

Moreover, with Rangarajan, the user selects both the functionality and appearance of the

user interface when generating the ... Neither the appearance nor the functionality may be

selected according to an environment variable on the fly during run-time ...

Accordingly, claims 11 and 31 and their respective dependent claims are allowable.

Examiner's response:

b)   Examiner strongly disagrees with applicant's assertion that Rangarajan fails to disclose

the claimed limitations recited in claims 11 and 31. Rangarajan clearly shows each and every

limitation in claims 11 and 31.

The Examiner has already addressed the applicant's argument regarding separate function

and appearance descriptions in the Examiner's Response (a) above. Furthermore, Rangarajan

teaches selecting at least one of a map component and a fashion component according to an

environment variable on the fly at run time (col. 9, lines 22-34).

In addition, see the rejection above in paragraph 14 for rejection to claims 11 and 31.

In the remarks, the applicant argues that:

c)   Claim 32 recites ...

With Rangarajan the desired selected feature set of the GUI ... a modify process must be

invoked and a wizard process reinitiated. Therefore, Rangarajan does not disclose means for

changing a fashion component to present logic of a user interface with a difference appearance
during program execution.

Accordingly claim 32 and its dependent claims are allowable.

Examiner's response:

c)   Examiner strongly disagrees with applicant's assertion that Rangarajan fails to disclose
the claimed limitations recited in claim 32. Rangarajan clearly shows each and every limitation
in claim 32. Rangarajan teaches means for changing the fashion component to present logic of
the user interface with a different appearance during program execution (col. 8, lines 57-65). In
addition, see the rejection above in paragraph 14 for rejection to claim 32.

In the remarks, the applicant argues that:

d)   Claim 35 stands rejected ...

Claim 35 recites that a device coupled to a processor to present a user interface is a
telephone. It is respectfully submitted that it was not known to use a telephone in the manner
recited in claim 35 as of the filing date of the current application. In order to properly respond to
the allegations in section 6 of the office action, it is respectfully requested that evidence be
provided demonstrating that it was well know that a telephone connects to a PC system and
utilizes a PC monitor to present a user interface associated with the telephone prior to the filing
of the current application.

Examiner's response:

d)   Applicant's challenge for evidence is untimely. If applicant made the challenge in response to the Final Rejection, Mailed on 12/29/03, par. 6, then the challenge for evidence would have been timely. Even though applicant did not seasonably traverse the well-known statement during examination, the Examiner is providing evidence in the interest of advancing prosecution of the application. See the rejection above in paragraph 16 for rejection to claim 35.

Conclusion

18.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

19.   Any inquiry concerning this communication from the examiner should be directed to Qamrun Nahar whose telephone number is (571) 272-3730. The examiner can normally be reached on Mondays through Fridays from 9:30 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Wei Y Zhen, can be reached on (571) 272-3708. The fax phone number for the

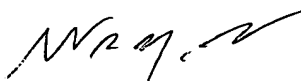organization where this application or processing is assigned is (571) 273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the TC 2100 Group receptionist whose telephone number is 571-272-2100.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

QN
October 13, 2005

WEI Y. ZHEN
PRIMARY EXAMINER